

CALIFORNIA STATE COASTAL CONSERVANCY

1330 BROADWAY, SUITE 1100
OAKLAND, CA 94612-2530
ATSS 561-1015
TELEPHONE 415/464-1015
FAX 415/464-0470



July 16, 1991

Robert Philibosian
Baker & McKenzie
777 S. Figueroa Street, 37th Floor
Los Angeles, CA 90017

SUBJECT: Public Access to Encinal/Lechuza Beach

Dear Mr. Philibosian:

Enclosed per our conversation is a document discussing liability issues in land management by non-profit organizations. I have also enclosed two documents describing the activities of the State Coastal Conservancy.

As I indicated to you, the availability of a management entity for the proposed public access to Encinal/Lechuza Beach will be a principal determinant of the efficacy of any donation of access rights. I discussed this problem with several members of the Malibu Encinal Homeowners' Association, and suggested to them that involvement of the Association in management of the proposed accessway, either directly through the Association itself or through a new non-profit organization created for this purpose, should be considered. Other alternatives to be explored would include management by Los Angeles County Department of Beaches and Harbors, management by State Parks, and management by a non-profit organization not involving area residents. The Conservancy would be pleased to assist in the effort to devise an appropriate management structure, so that it becomes feasible to make this beach accessible to the public.

As we discussed, it will also be necessary to resolve issues of ownership of fee and easement interests in the areas suggested for public access, and the Conservancy would expect to work with the Homeowners' Association and other interested parties to clarify this matter.

I look forward to hearing more about the proposal by the Homeowners' Association to offer to donate to the public rights of access to this beach. As you know, this site has been identified by the Coastal Commission and the County of Los Angeles as among the most significant areas in Malibu for the provision of new public beach access.

Thank you for your interest in the Conservancy.

Very truly yours,

A handwritten signature in dark ink, appearing to read "SH", with a stylized flourish extending from the end.

Steve Horn
Program Manager